

IN RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCES - NE/Corner York Road and Dennison Street (2415 York Road) 8th Election District 3rd Councilmanic District Crown Central Leasing Corp. Petitioners

BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 69-240-SPHXA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special hearing to approve an amendment to the site plan previously approved in Case No. 69-261-RXA; a special exception to permit a food store with less than 5000 square feet as a use in combination with a gasoline service station (gas 'n' go); and a variance to permit a front yard setback of 27 feet in lieu of the required 35 feet, as more particularly described in Petitioner's Exhibit 1.

The Petitioners, by Stephen M. Broache, Engineering Manager, appeared, testified, and were represented by Andrew Lapayowker, Esquire. Also appearing on behalf of the Petition was William Davis, Crown Dealer. There were no Protestants.

Testimony indicated that the subject property, known as 2415 York Road, is the site of a Crown gasoline service station (gas 'n' go), which was previously authorized in Case No. 69-261-RXA. The Petitioners propose adding a convenience store of approximately 462 sq. ft. to the existing facility. Testimony proffered on behalf of Mr. Davis, Dealer for Crown at this location since 1981, and Mr. Broache, indicated that in their opinion the conditions delineated in Section 502.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) would be satisfied by the requested modification. Testimony further indicated the location of the proposed convenience store as depicted in Petitioner's Exhibit 1 was selected to prevent

congestion and improve the flow of traffic through the site. Petitioners contend to deny the requested variance will result in practical difficulty and indicated the granting of the variance will not result in any detriment to the health, safety, or general welfare of the community.

It is clear that the B.C.Z.R. permits the use proposed by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. *Schultz v. Pritts*, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and

his property. *McLean v. Soley*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare.

After reviewing all of the testimony and evidence presented, it appears that the special exception and variance should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested in the Petitions for Special Hearing, Special Exception and Zoning Variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 10th day of January, 1989 that the Petition for Special Hearing to approve an amendment to the site plan previously approved in Case No. 69-261-RXA; the Petition for Special Exception to permit a food store with less than 5000 square feet as a use in combination

with a gasoline service station (gas 'n' go); and the Petition for Zoning Variance to permit a front yard setback of 27 feet in lieu of the required 35 feet, in accordance with Petitioner's Exhibit 1, be and are hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) Prior to the issuance of any permits, Petitioners shall submit a revised site plan which complies with the requirements of the State Highway Administration as set forth in their comments dated October 31, 1988.
- 3) Additionally, prior to the issuance of any permits, Petitioners shall submit to the Deputy Zoning Commissioner for approval a landscaping plan which has been reviewed and approved by the County Landscaping Planner in the Office of Current Planning.
- 4) Petitioners shall provide compressed air and water for customers of their gas 'n' go facility.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Townson, Maryland 21204
881-3353
J. Robert Haines
Zoning Commissioner

January 10, 1989

Andrew Lapayowker, Esquire
Crown Central Petroleum
P.O. Box 1168
Baltimore, Maryland 21203

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & ZONING VARIANCE NE/Corner York Road and Dennison Street (2415 York Road) 8th Election District - 3rd Councilmanic District Crown Central Leasing Corporation - Petitioners Case No. 89-240-SPHXA

Dear Mr. Lapayowker:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing, Special Exception and Zoning Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

File

PETITION FOR ZONING VARIANCE #144
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 89-240-SPHXA
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 405.4A.2a to permit a front yard setback of 27 feet in lieu of the required 35 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; following reasons: (Indicate hardship or practical difficulty)

1. Practical Difficulty - Location of the proposed convenience store closer to rear on site would seriously impede traffic flow; changing width of store to make up for shortening it would disrupt cars at
2. And for other reasons to be discussed at scheduled hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Crown Central Leasing Corporation
(Type or Print Name)

Signature: Stephen M. Broache, Engineering Manager
(Type or Print Name)

Address: 2415 York Road
City and State: Baltimore, Maryland 21203

City and State: Baltimore, Maryland 21203

Signature: Andrew Lapayowker
(Type or Print Name)

Address: P.O. Box 1168 - Baltimore
City and State: Baltimore, Maryland 21203

City and State: Baltimore, Maryland 21203

Signature: J. Robert Haines
(Type or Print Name)

Address: P.O. Box 1168 - Baltimore
City and State: Baltimore, Maryland 21203

City and State: Baltimore, Maryland 21203

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(Type or Print Name)

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City and State: Baltimore, Maryland 21203

Signature: J. Robert Haines
(Type or Print Name)

Address: P.O. Box 1168 - Baltimore
City and State: Baltimore, Maryland 21203

City and State: Baltimore, Maryland 21203

PETITION FOR SPECIAL EXCEPTION AND SPECIAL HEARING #144
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 89-240-SPHXA

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for a food store with less than 5000 square feet as a use in combination with a gasoline service station (gas 'n' go) and an amendment to the site plan in case 69-261-RXA to allow said use.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Crown Central Leasing Corp.
(Type or Print Name)

Signature: Stephen M. Broache, Engineering Manager
(Type or Print Name)

Address: 2415 York Road
City and State: Baltimore, Maryland 21203

City and State: Baltimore, Maryland 21203

Signature: Andrew Lapayowker
(Type or Print Name)

Address: P.O. Box 1168 - Baltimore
City and State: Baltimore, Maryland 21203

City and State: Baltimore, Maryland 21203

Signature: J. Robert Haines
(Type or Print Name)

Address: P.O. Box 1168 - Baltimore
City and State: Baltimore, Maryland 21203

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City and State: Baltimore, Maryland 21203

Signature: J. Robert Haines
(Type or Print Name)

Address: P.O. Box 1168 - Baltimore
City and State: Baltimore, Maryland 21203

City and State: Baltimore, Maryland 21203

PROPERTY DESCRIPTION

CROWN STATION MD-31
2415 York Road
Timonium, Maryland
October 3, 1988

Beginning on the northeast corner of York Road & Dennison Street and thence running the following courses and distances.

N 18° 03' 30" W 200.00' thence
N 71° 56' 30" E 200.00' thence
S 18° 03' 30" E 200.00' thence
S 71° 56' 30" W 200.00' to the place of beginning

Saving and excepting all that area of the above described property not zoned B.L.-C.S.A.



ECO-No. 1

(over)

ESTIMATED LENGTH OF HEARING - 1/2 HR. *1 HR.
AVAILABLE FOR HEARING MON. / TUES. / WED. / THUR. / FRI. / SAT. / SUN.
ALL REVISED BY: J. Robert Haines DATE: 10-5-88

CERTIFICATE OF PUBLICATION

TOWSON, MD. November 23, 1988

THIS IS TO CERTIFY, that an annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of successive weeks, the first publication appearing on Nov 22, 1988.

THE JEFFERSONIAN
TOWSON TIMES,

Publisher

PO 05883
reg M20468
case 89-240-SPHXA
price \$109.83 TI+J

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 874 Date of Posting: 11/14/88
Posted for: Special Hearing, Special Hearing, & Variance
Petitioner: Crown Central Leasing Corp.
Location of property: NE/C York Rd. & Dennison St.
2415 York Rd.
Location of Sign: Crown Central Leasing Corp. 2415 York Rd.
Remarks: 89-240-SPHXA
Posted by: Michael S. Flanigan Date of return: 11/14/88
Number of Signs: 3

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
494-3554

October 28, 1988

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 440, 58, 102, 128, 140, 145, 147, 150, 151, 153, 154, 155, 156, and 157.

Very truly yours,

Michael S. Flanigan
Engineering Associate

89-240-SPHXA

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 26th day of October, 1988.

J. Robert Haines
ZONING COMMISSIONER

Petitioner: Crown Central Leasing Corp. Received by: James E. Dyer
Petitioner's Attorney: Andrew Lapayowker Chairman, Zoning Plans Advisory Committee

RE: PETITION FOR SPECIAL EXCEPTION, : BEFORE THE ZONING COMMISSIONER
SPECIAL HEARING & VARIANCE
NE Corner York Rd. & Dennison : OF BALTIMORE COUNTY
St. (2415 York Rd.), 8th
Election Dist.; 3rd Councilmanic
Dist.
CROWN CENTRAL LEASING : Case No. 89-240-SPHXA
CORPORATION, Petitioner

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final order.

Phyllis Cole Friedman
Phyllis/Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 204, County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 28th day of November, 1988, a copy of the foregoing Entry of Appearance was mailed to Andrew Lapayowker, Esquire, Crown Central Petroleum, P. O. Box 1168, Baltimore, MD 21203, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3554

J. Robert Haines
Zoning Commissioner

Date: 12/2/88

Andrew Lapayowker, Esq.
Crown Central Petroleum
P. O. Box 1168
Baltimore, Maryland 21203

Re: Petitions for Special Hearing, Special Exception, and Zoning Variance
CASE NUMBER: 89-240-SPHXA
NE York Road and Dennison Street
(2415 York Road)
8th Election District - 3rd Councilmanic
Petitioner(s): Crown Central Leasing Corporation
HEARING SCHEDULED: TUESDAY, DECEMBER 20, 1988 at 9:30 a.m.

Dear Mr. Lapayowker:

Please be advised that \$34.15 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the County Office, County Office Building, Room 204, Baltimore, Maryland 21204, 5) minutes before

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE: 12/2/88 ACCOUNT: 2-21-15-000
AMOUNT: \$ 154.83
RECEIVED FROM: Andrew Lapayowker, Esq.
FOR: advertising and posting 89-240 SPHXA
VALIDATION OR SIGNATURE OF CASHIER

post set(s), there
each set not

set of

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3554

J. Robert Haines
Zoning Commissioner

November 9, 1988

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:
Petitions for Special Hearing, Special Exception, and Zoning Variance
CASE NUMBER: 89-240-SPHXA
NE York Road and Dennison Street
(2415 York Road)
8th Election District - 3rd Councilmanic
Petitioner(s): Crown Central Leasing Corporation
HEARING SCHEDULED: TUESDAY, DECEMBER 20, 1988 at 9:30 a.m.
Special Exception: A food store with less than 5000 sq. ft. as a use in combination with a gasoline service station (gas'n go).
Special Hearing: An Amendment to the site plan in case #89-261-RXA to allow said use.
Variance to permit a front yard setback of 27 feet in lieu of the required 35 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County
cc: Andrew Lapayowker, Esq.
Stephen M. Broache
File

*NOTE:
IF PHASE II OF THE SHOW EMBLEM PLAN IS IN EFFECT IN BALTIMORE COUNTY BY 8:30 a.m. ON THE DATE OF THE ABOVE HEARING, SUCH HEARING WILL BE POSTPONED AND TENTATIVELY RESCHEDULED FOR THURSDAY, JANUARY 12, 1989. PLEASE TELEPHONE DICKET CLERK AT 887-3391 TO CONFIRM DATE.

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 14, 1988

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Andrew Lapayowker, Esquire
Crown Central Petroleum
P.O. Box 1168
Baltimore, Maryland 21203

RE: Item No. 144, Case No. 89-240-SPHXA
Petitioner: Crown Central Leasing Corp.
Petition for Special Exception, Special
Hearing and Zoning Variance

Dear Mr. Lapayowker:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
Chairman
Zoning Plans Advisory Committee

JED:dt

Enclosures

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reincke
Chief

December 2, 1988

J. Robert Haines, Zoning Commissioner
Office of Planning & Zoning
Baltimore County Office Building
Towson, Maryland 21204

Re: Property Owner: Crown Central Leasing Corp.

Location: NE/C York Rd. & Dennison St.
2415 York Road

Item No.: 144 Zoning Agenda: Meeting of 10/25/88

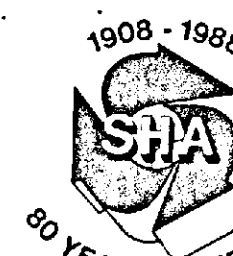
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: J. Robert Haines NOTED & APPROVED: J. Robert Haines
Planning Group Fire Prevention Bureau
Special Inspection Division

/j1



Maryland Department of Transportation
State Highway Administration

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

October 31, 1988

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Attn: Mr. James Dyer

Re: Baltimore County
Crown Central
Leasing Corp.
Zoning Meeting of
10-25-88
MD 45, E/S York Road
& Dennison Street
(Item #144)

Dear Mr. Haines:

After reviewing the submittal for a special exception and special hearing for a food store with less than 5,000 square feet as a use in combination with a gasoline service station, we have the following comment.

The plan must be revised to show a future 30' right of way (40' half section) on York Road and no permanent structures may be placed within these limits.

It is requested this revision be made prior to a hearing date being set.

If you have any questions, please call Larry Brocato of this office at 333-1350.

Very truly yours,

Charles J. Mills, Jr., Chief
Bureau of Engineering
Access Permits

LB:maw

cc: Crown Central Petroleum Corp.
Mr. J. Ogil

RECEIVED
NOV 9 1988
ZONING OFFICE

My telephone number is (301) 333-1350

383-7555 Baltimore Metro - 888-2431 D.C. Metro - 1-800-492-5063 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Crown Central Leasing Corp.
Zoning Petition No. 89-240-SPHXA

Date: December 19, 1988

DEC 19 1988

ZONING OFFICE

The applicant is requesting a special exception to establish a convenience store in conjunction with a gas station. Variances are requested to permit a front yard setback of 27 feet in lieu of the required 35 feet. In reference to this request, staff provides the following information:

- The applicant requested a waiver of CRG meeting and plan (W-88-263). A waiver of meeting but not plan was approved by the Planning Board on 10/24/88.
- The County Office of Planning and Zoning is upgrading the quality of the major streets throughout the County. The streetscape along Denison Street and York Road are of special importance.

Based upon the information provided and analysis conducted, staff recommends approval of the applicant's request subject to the following:

- A streetscape plan (edge of curb to edge of landscape setback) as reviewed by the County Landscape Planner shall be provided prior to approval.

PK/sf

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL
PROTECTION AND RESOURCE MANAGEMENT

10/25/88
Date

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 144, Zoning Advisory Committee Meeting of October 25, 1988

Property Owner: Crown Central Leasing Corp.

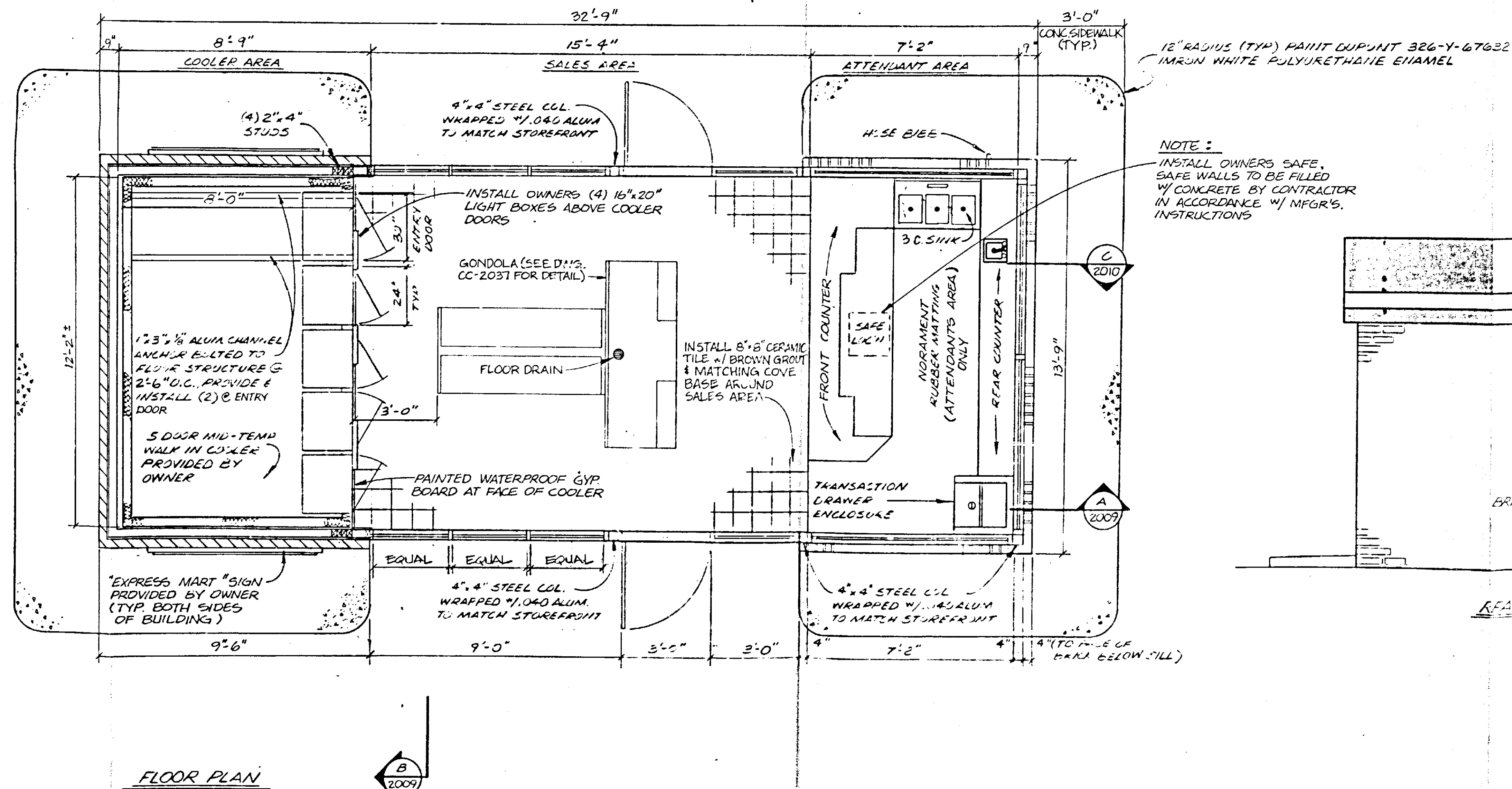
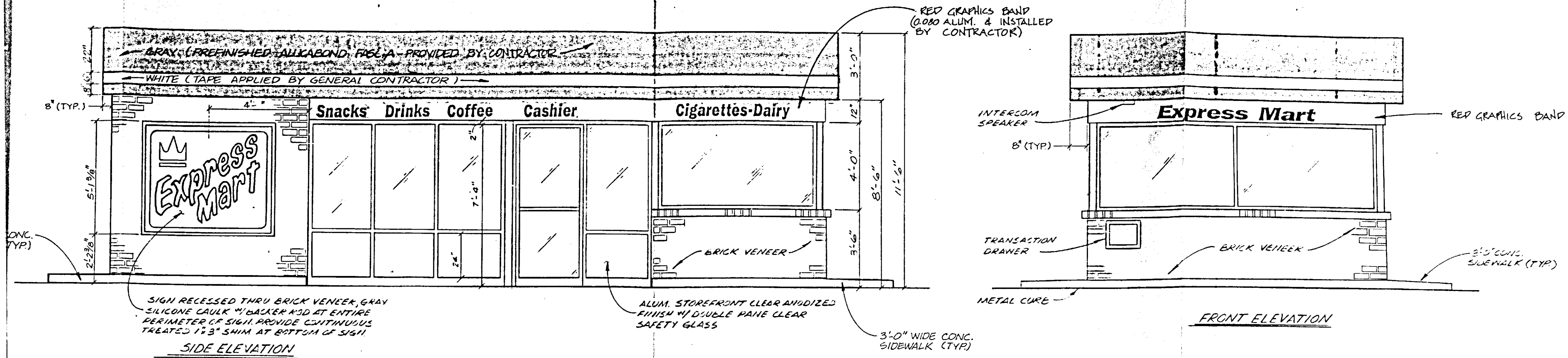
Location: NYC York Rd. + Denison St. (2415 York Rd.) District 8

Water Supply: Metro Sewage Disposal: Metro

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- () Prior to new installation of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 494-3775, to obtain requirements for such installation before work begins.
- () A permit to construct from the Bureau of Air Quality Management is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Bureau of Air Quality Management is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Recreational Hygiene Section, Bureau of Regional Community Services, 494-3811.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
- () Prior to razing of existing structure/s, petitioner must contact the Division of Waste Management at 494-3758, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 494-3775.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 494-3768.
- () Soil percolation tests, have been conducted.
- () The results are valid until _____.
- () Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test () shall be valid until () is not acceptable and must be repeated. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
- () Others _____

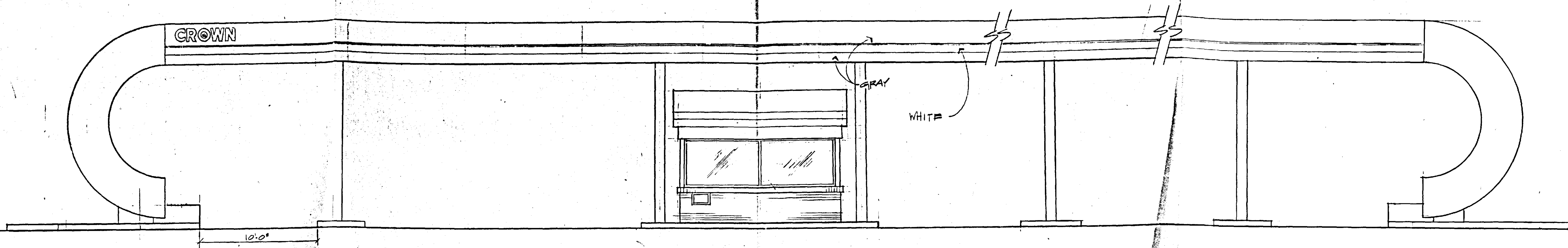
Karen M. Murray
BUREAU OF WATER QUALITY AND RESOURCE
MANAGEMENT



REAR ELEVATION

PETITIONER'S
EXHIBIT 2

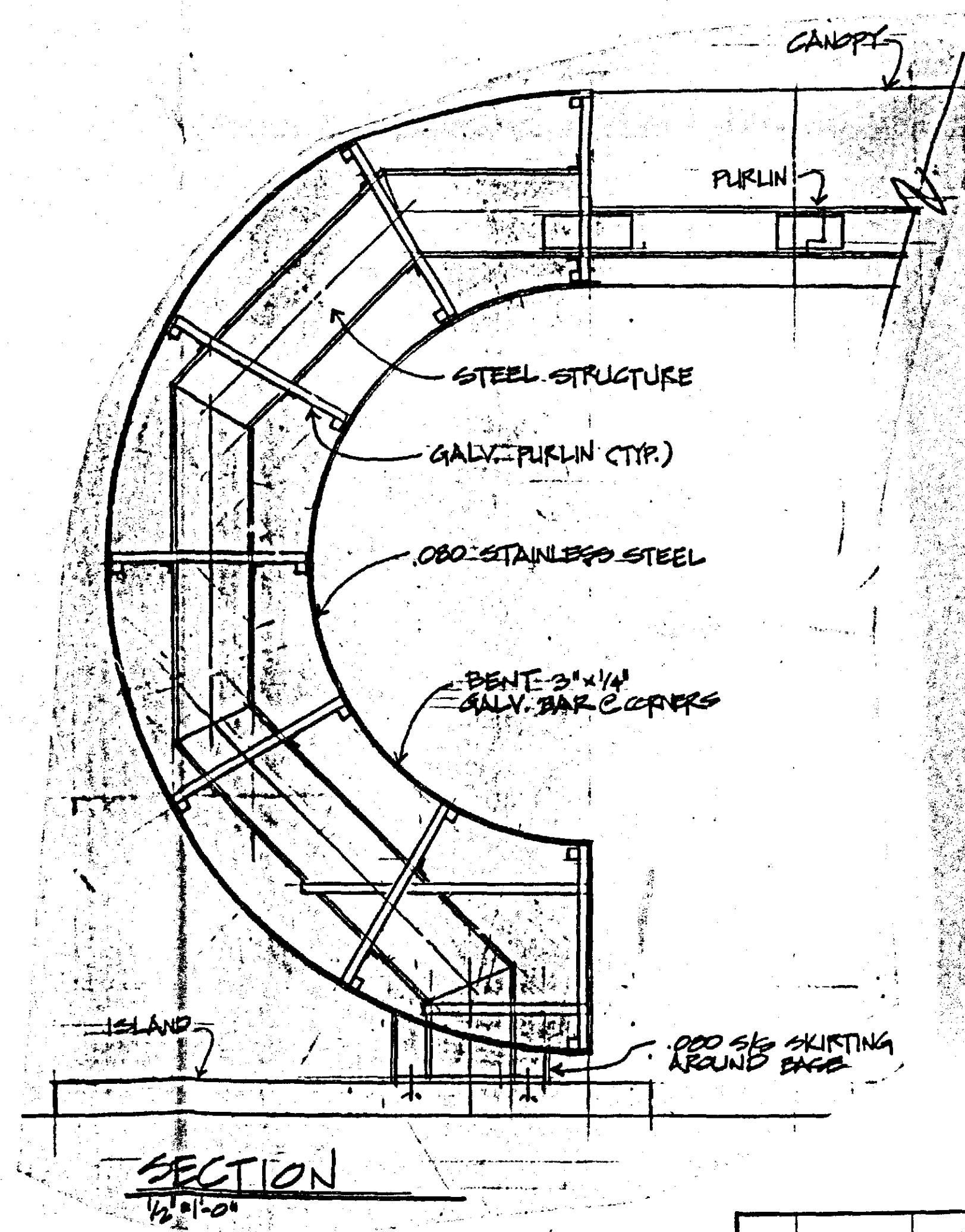
CROWN CENTRAL PETROLEUM CORPORATION			
CROWN			
PRODUCER • REFINER • MARKETER OF PETROLEUM PRODUCTS AND PETROCHEMICALS			
GENERAL OFFICES • ONE NORTH CHARLES • P.O. BOX 1150 • BALTIMORE, MARYLAND 21203			
FLOOR PLAN & ELEVATIONS OF EXPRESS MART WITHOUT REST ROOMS OR MANAGERS OFFICE		SCALE 3/8" = 1'-0"	DATE 13 MARCH 1987
2	11-21-88	ADDED GRAPHICS TO RED GRAPHICS BAND	STATION
1	10-3-88	REV. WALL & DIM. @ COOLER	NUMBER
REV. NO.	DATE	DESCRIPTION	
DRAWN BY AAB		CHECKED BY	DRAWING NUMBER CC-2154
REVISIONS			REV. NO. 2



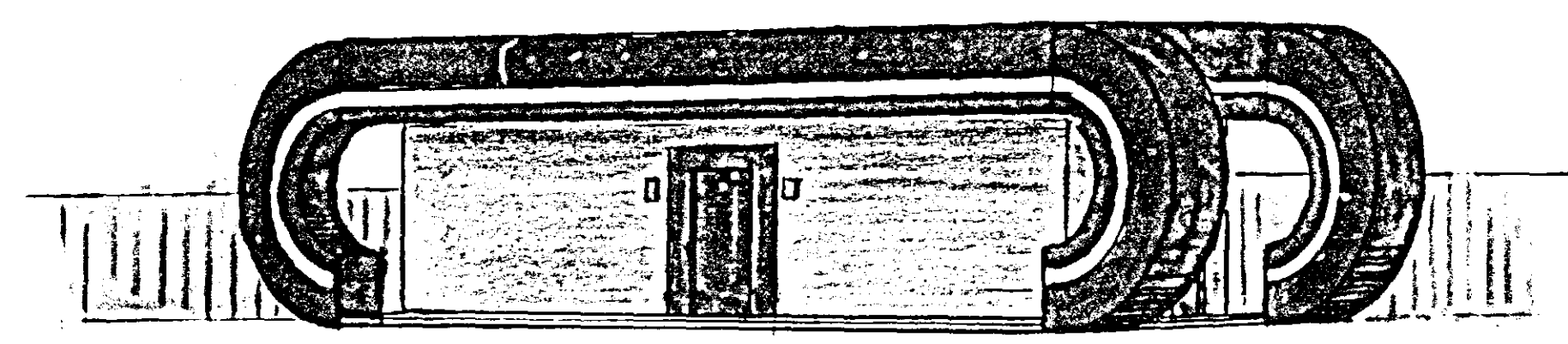
FRONT ELEVATION



LEFT SIDE ELEVATION



SECTION
10'-0"



**PETITIONER'S
EXHIBIT 2**

CROWN CENTRAL PETROLEUM CORPORATION
 PRODUCERS • REFINERS • MARKETERS OF PETROLEUM PRODUCTS AND PETROCHEMICALS
 GENERAL OFFICES • ONE NORTH CHARLES • P.O. BOX 1168 • BALTIMORE, MARYLAND 21203

ELEVATION - PROPOSED CANOPY & EXPRESS MART @ MD-31

REV NO.	DATE	DESCRIPTION

SCALE:	DATE:	STATION NUMBER MD-31
DRAWN BY:	CHECKED BY:	DRAWING NUMBER

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 897-3333

J. Robert Haines
Zoning Commissioner

July 25, 1989



Dennis F. Rasmussen
County Executive

Michael P. Malone, P.E.
Engineering Manager
Crown Central Petroleum Corporation
One North Charles Street
P.O. Box 1168
Baltimore, MD 21203

RE: Approval of Revisions to Site Plan
Zoning Case #89-240-SPHXA

Dear Mr. Malone:

This letter references your correspondence received by this office on July 14, 1989 requesting approval for extensions to be placed on a utility building as shown on the revised submitted plan now to be included in Zoning Case File #89-240-SPHXA.

These proposed changes substantially conform to the spirit and intent of the Order in the above referenced case and will, therefore, be permitted with the restriction that no additional signs are permitted in the highlighted area.

Should you require further assistance, please contact John Lewis of this office, who is familiar with this situation.

Very truly yours,

Ann Nastarowicz

Ann Nastarowicz
Deputy Zoning Commissioner

JLL:scj



Crown Central Petroleum Corporation
Refiners / marketers of petroleum products & petrochemicals
One North Charles Street • P.O. Box 1168 • Baltimore, Maryland 21203 • (301) 539-7400

July 13, 1989

The Honorable Ann Nastarowicz
Deputy Zoning Commissioner
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Crown Service Station MD-11
York Road and Denison Road
Permit No. R008792 Control No. C-506-89

Dear Ms. Nastarowicz:

Enclosed is a copy of our revised site plan and an elevation showing the proposed extensions to the utility building at the referenced station. As per Mr. Commodari's telephone conversation with you of June 30, we are requesting that you review and approve this change to the plans. The proposed extensions to the utility building were omitted on the original site plan submitted for review. We feel this is a minor change which will blend in with the canopy extensions shown on the site plans and in renderings previously submitted to your office.

If you have any questions concerning this request, please notify me at your convenience so that this matter may be resolved.

Sincerely yours,

CROWN CENTRAL PETROLEUM CORP.

Michael P. Malone
Michael P. Malone, P.E.
Engineering Manager

MPM/cdg

Enclosure

RECEIVED
JUL 14 1989
ZONING OFFICE

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 897-3333

J. Robert Haines
Zoning Commissioner

July 25, 1989



Dennis F. Rasmussen
County Executive

Michael P. Malone, P.E.
Engineering Manager
Crown Central Petroleum Corporation
One North Charles Street
P.O. Box 1168
Baltimore, MD 21203

RE: Approval of Revisions to Site Plan
Zoning Case #89-240-SPHXA

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This letter references your correspondence received by this office on July 14, 1989 requesting approval for extensions to be placed on a utility building as shown on the revised submitted plan now to be included in Zoning Case File #89-240-SPHXA.

These proposed changes substantially conform to the spirit and intent of the Order in the above referenced case and will, therefore, be permitted with the restriction that no additional signs are permitted in the highlighted area.

Should you require further assistance, please contact John Lewis of this office, who is familiar with this situation.

Very truly yours,

Ann Nastarowicz

Ann Nastarowicz
Deputy Zoning Commissioner

JLL:scj

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Al Wirth - SHW
Bob Bowling - Dev. Eng. (3)
Gary Kerns - Current Planning
Rahim Fami - Traffic Engineering
Rocky Powell - DEPRM
Larry Pilson - DEPRM
Dave Flowers - DEPRM
Carl Richards - Zoning
Capt. Kelly - Fire Department
Pat Kinner - Rec. & Parks
Chuck Weiss - Sanitation
Larry Brocato - SHA

DATE: June 5, 1989

FROM: Tom Watson
Bureau of Public Services

SUBJECT: Crown Central - York Road
Nick Commodari - 235-6811

The subject property was granted a waiver of CRG meeting by the Office of Planning & Zoning. However, CRG approval signatures must be obtained.

Please review the attached plan for concurrence with current development regulations and give us your approval or comments by June 16, 1989. Nonresponsiveness by the aforementioned date is considered to be concurrence by your office of the plan.

(SEE OTHER SIDE FOR COMMENTS)

CTW:cjp
Attachment
cc: File

Plan has been revised from originally approved plan as found in Zoning Case #89-240SPHXA. The addition of facis extensions which reduce the number of parking spaces provided must either be changed to conform to the zoning hearing plan or a red lined site plan showing the revisions accompanied by an explanatory cover letter requesting approval and a check made payable to Baltimore County, Maryland must be provided to the Deputy Zoning Commissioner for review.

The existing automatic teller machine as shown on plans is not shown on the original site plan in Case #69-261-RX, provide on plan the building permit # and any other County agency approvals which were obtained for the A.T.M. It appears that additional parking and zoning hearings may be required for the machine.

Building permit approvals require commercial (blue) checklist information.

John L. Lewis
JOHN L. LEWIS
Planning & Zoning Associate III

A hand-drawn sketch map of the vicinity of the scene. The map shows a grid of streets. The vertical streets from left to right are labeled: BROAD AVE, KOOPEVILLE ST, HARDING ST, MAIN ST, WASHINGTON ST, and TALENT AVE. The horizontal streets from top to bottom are labeled: AGRONIA ROAD, NEW, PADONIA, PADONIA WADING PLANK, DOUBLEVAY, and TALENT AVE. A shaded rectangular area is located between KOOPEVILLE ST and HARDING ST, and between MAIN ST and DOUBLEVAY. An arrow points from the text 'PADONIA WADING PLANK' to a small structure on the DOUBLEVAY street. Below the map, the text 'VICINITY MAP' is underlined, followed by 'SCALE: NONE'. A circled number '1' is written to the right of the map.

EXISTING ZONING: BL-CSA / BL-CCC / DR 35
PROPOSED ZONING:

SPECIAL EXCEPTION: FOOD STORE AS A USE IN COMBINATION
W/ A GASOLINE SERVICE STATION (GAS 190)
SPECIAL HEARING: AMENDMENT FOR THE SITE PLAN IN CASE
CA-201-RXA
VARIANCE: TO PERMIT A SETBACK OF 27' TO THE R/W LINE IN
LIEU OF THE 32' OR 35' IN LIEU OF THE REQUIRED
60' TO THE E. OF THE STREET.

AREA REQUIREMENTS: 10 TO THE E. OF THE STREET.

4 DISPENSER ISLANDS WITH 0 DISPENSERS, CAPABLE
OF SERVING 14 CARS AT ONE TIME.

TOTAL SERVICING SPACES = 14

TOTAL SERVICING BAYS = -

TOTAL SPACES AND BAYS = 14

TOTAL AREA REQUIRED = 14 X 1,500 SF = 21,000 SF
(USE 15,000 SF MIN.)

TOTAL WAITING SPACES = 14

ANCILLARY USES:
MINOR ACCESSORY USES AS PERMITTED IN SECTION 405 OF BCZR
NO ADDITIONAL SQUARE FOOTAGE REQUIRED
COMBINATION USES:

FOOD STORE SALES (MINI MARKET) -
 ADDITIONAL SQUARE FOOTAGE = FACTOR 4 x 462 SF = 1848 SF
 TOTAL AREA REQUIRED = 15,000 SF + 1848 SF = 16,848 SF
 TOTAL AREA OF TRACT = 32,000 SF OR 7.31 Ac

ACCESS POINTS:

NUMBER OF DRIVEWAYS ON MAJOR STREET
REQUIRED SITE WIDTH = $\frac{2}{2} \times 65' = 130$ $\frac{2}{2}$
ACTUAL SITE WIDTH = 100

LANDSCAPING REQUIRED (5% OF SITE) = 2000 S.F.
LANDSCAPING PROVIDED = 2185 S.F.

PARKING: 1 FOR EVERY 200 S.F.
PARKING SPACES REQUIRED = OF FLOOR SPACE (RETAIL) + 3.3
EVERY 1000S.F. ACCESSORY
= 442 S.F. + 200 S.F. = 231
+ 442 S.F. + 1000 S.F. x 3.3 = 152
= 300 USE 4
6 PARKING SPACES PROVIDED = (INCLUDING 3)
(INCLUDING 3 CAPPED)

AREA DISTURBED BY NEW CONSTRUCTION = 500 S.

EXISTING

EXIST USE: "GAS & GO" SERVICE STATION

PROP. USE : SAME + EXPRESS-MART
LIGHTING - EXISTING TO REMAIN

ID. SIGN	104.3
PRICE SIGN	36.0
STRUCTURE	<u>41.0</u>
TOTAL PROPOSED	181.3

CASE #20-69-A (8/26/05)
GRANTED VARIANCE TO PERMIT A
DOUBLE FENCED SIGN WITH A TOTAL
OF 1813 SQ. FT. IN LIEU OF THE
PERMITTED 100 SQ. FT. SUBJECT
TO THE FOLLOWING RESTRICTIONS

1. The grade product price portion of the sign shall be placed as high as possible within the twin columns.
2. At any such time as the station ceases to be a Crown service station, or the design of the logo identification is changed, all signs shall come within the specifications of the BZCR as required at that time unless a further petition for variance is requested and granted.
3. All signs on-site, including any temporary signs and banners shall have the proper permits prior to installation.

CASE CA-261-RXA (4/22/69)
GRANTED RECLASSIFICATION FROM AN "E-10"
ZONE TO A "B-1" ZONE WITH A C-2A DISTRICT
ON A PORTION OF THE PETITIONER'S PROPERTY
AND GRANTED VARIANCES TO PERMIT TANGENTS
OF 6' & 10' IN LIEU OF REQUIRED 10' & 20'
RESPECTIVELY AND TO PERMIT A SETBACK OF 6'
IN LIEU OF THE REQUIRED 6' FROM A R/W FOR
A CROSSED SIGN ALONG YORK RD

PLOT PLAN FOR SPECIAL EXCEPTION
SPECIAL HEARING AND VARIANCE.
REVISED PLANS
1 MD - 31

CROWN CENTRAL PETROLEUM CORPORATION
 PRODUCERS • REFINERS • MARKETERS OF PETROLEUM PRODUCTS AND PETROCHEMICALS

PLOT PLAN MD-31
2415 YORK RD.
TIMONIUM, MD. 21093

SCALE: 1" = 10'-0"		DATE: 5/17/18		STATION NUMBER MD-3	
DRAWN JR		CHECKED BY		DRAWING NUMBER	
				REV. NO.	

BY 1/2 DT 1/2 NUMBER 1/2
SEE REVISED PLAN + LETTER

S18°03'30"E 200.00'

CASE 89-240-SPHXA, JAN. 10, 1989

WILLIAM G. SCHLIPP &
SADIE M. SCHLIPP
#2 DENISON ST.
LUTHERVILLE - TIMONIUM 21093
PROP. ACCT. # 081009380 DEED 302/381

ZONING INFORMATION

EXISTING ZONING: BL-CFA/RD
PROPOSED ZONING:

SPECIAL EXCEPTION: FOOD STORE AS A USE IN COMBINATION
WITH A GASOLINE SERVICE STATION (GAS 9.40)
SPECIAL HEARING: AMENDMENT FOR THE SITE PLAN IN CASE
99-261-RXA
VARIANCE: TO PERMIT A SETBACK OF 27' TO THE R/W LINE IN
LIEU OF THE 33' IN LIEU OF THE REQUIRED
40' TO THE C.C. OF THE STREET.

AREA REQUIREMENTS:

4 DISPENSER ISLANDS WITH
OF SERVING 14 CARS AT ONE TIME.
TOTAL SERVING SPACES = 14
TOTAL SERVING AISLES = 14
TOTAL SPACES AND BAYS = 14
TOTAL AREA REQUIRED = 14 X 1,500 SF = 21,000 SF
(USE 15,000 SF MIN.)
TOTAL WAITING SPACES = 14

ANCILLARY USES:

MINOR ACCESSORY USES AS PERMITTED IN SECTION 405 OF BCZ
NO ADDITIONAL SQUARE FOOTAGE REQUIRED

COMBINATION USES:

FOOD STORE SALES (MINI MARKET)
ADDITIONAL SQUARE FOOTAGE = FACTOR 4 X 462 SF = 1,848 SF
TOTAL AREA REQUIRED = 15,000 SF + 1,848 SF = 16,848 SF
TOTAL AREA OF TRACT = 21,000 SF OR 17.5 AC

ACCESS POINTS:

NUMBER OF DRIVEWAYS ON MAJOR STREET
REQUIRED SITE WIDTH = 65' X 65' = 130'
ACTUAL SITE WIDTH = 120'

LANDSCAPING:

LANDSCAPING REQUIRED (5% OF SITE) = 2,000 S.F.
LANDSCAPING PROVIDED = 2,100 S.F.

PARKING:

PARKING SPACES REQUIRED = 1 FOR EVERY 200 S.F.

462 S.F. + 200 S.F. = 2.31

PARKING SPACES PROVIDED = 6.23 USE (INCLUDING 1 HANDICAPPED)

AREA DISTURBED BY NEW CONSTRUCTION = 3,520 S.F. ±

EXISTING:

EXIST USE: "GAS & GO" SERVICE STATION

PROP. USE: SAME + EXPRESS-MART

ELECTION DISTRICT: 8
COUNCILMANIC DISTRICT: 4TH
CENSUS TRACT: 4085.05 309B
WATERSHED: 11
SUBDEVELOPED: 32

ID. SIGN 104.3
PRICE SIGN 36.0
STRUCTURE 41.0
TOTAL PROPOSED 181.3
SQ. FT.

CASE #89-240-SPHXA (5/26/89)

GRANTED VARIANCE TO PERMIT A
DOUBLE FACED SIGN WITH A TOTAL
OF 181.3 SQ. FT. IN LIEU OF THE
PERMITTED 100 SQ. FT. SUBJECT
TO THE FOLLOWING RESTRICTIONS:

- The grade product price portion of the sign shall be placed
as high as possible within the sign columns.
- At any such time as the station ceases to be a gas service
station, or the design of the logo identification is
changed, all signs shall come within the specifications of
the sign as required at that time unless a further petition
for variance is received and granted.
- All signs on-site, including any temporary signs and banners,
shall have the proper permits prior to installation.

PERMIT # D-008792
PERMIT # C-506-89

CASE 89-261-RXA (4/22/89)

GRANTED RECLASSIFICATION FROM AN R-10
ZONE TO A B.L. ZONE WITH A C.S.A. DISTRICT
ON A PORTION OF THE PETITIONED PROPERTY
AND GRANTED VARIANCES TO PERMIT TANGENTS
OF 6' & 10' IN LIEU OF REQUIRED 10' & 20'
RESPECTIVELY AND TO PERMIT A SETBACK OF 0'
IN LIEU OF THE REQUIRED 6' FROM A R/W FOR
APPROVED SIGN ALONG YORK RD

PLOT PLAN FOR SPECIAL EXCEPTION;
SPECIAL HEARING AND VARIANCE.

CRG (meeting process) WAIVER W-88-263 10/24/88

MD - 31

CROWN CENTRAL PETROLEUM CORPORATION

PRODUCERS • REFINERS • MARKETERS OF PETROLEUM PRODUCTS AND PETROCHEMICALS

GENERAL OFFICES • ONE NORTH CHARLES • P.O. BOX 1168 • BALTIMORE, MARYLAND 21206

PLOT PLAN MD - 31

2415 YORK RD. PROP. ACT. #1600002957

TIMONIUM, MD. 21093 DEED 6631/135

SCALE: 1" = 10'-0" DATE: 5/17/88 STATION NUMBER MD-31

DRAWN BY JR CHECKED BY DRAWING NUMBER COP 7414R REV NO. 11

REVISED (SEE NOTE.)

THE HIGHLIGHTED REVISIONS
AS SHOWN ON THIS PLAN
ARE SUBSTANTIALLY WITHIN
AND CONFORM TO THE SPIRIT
AND INTENT OF THE ORDER IN
ZONING CASE 89-240-SPHXA
AND ARE THEREFORE PERMITTED
DATE 1/25/89

CROWN STATIONS, INC.
ATTN: TAX DEPT.
P.O. BOX 1108
BALTIMORE, MD 21203
DATE 1/25/89

THE PETITIONERS MAY APPLY FOR THEIR BUILDING
PERMITS AND BE GRANTED SAME UPON RECEIPT OF THIS ORDER.
HOWEVER, PETITIONERS ARE HEREBY MADE AWARE THAT PRO-
CEEDING AT THIS TIME IS AT THEIR OWN RISK UNTIL SUCH
TIME AS THE 30-DAY APPEAL PERIOD FROM THIS ORDER
HAS EXPIRED. IF FOR WHATEVER REASON, THIS ORDER IS
REVERSED, THE PETITIONERS WOULD BE REQUIRED TO RETURN,
AND BE RESPONSIBLE FOR RETURNING, SAID PROPERTY TO ITS
ORIGINAL CONDITION.

Prior to the issuance of any permits, Petitioners
shall submit a revised site plan which complies with
the requirements of the State Highway Administration
as set forth in their comments dated October 31, 1988.

Additionally, prior to the issuance of any per-
mits, Petitioners shall submit to the Deputy Zoning
Commissioner for approval a landscaping plan which has
been reviewed and approved by the County Landscaping
Department in the Office of Current Planning.

Petitioners shall provide compressed air and
water for customers of their gas "n" go facility.

(2) NEW
PARKING SPACES

ELECTRIC EXIST. UTILITY

EXIST. A.T.M. STRUCTURE

EXIST. 1/2" WATER MAIN

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EXIST. 1/2" WATER MAIN

11/17/97
C8
with November 13, 1997To: JLL
See me - Fuel ok
Rev. plan - ?
11/17/97 na -
scashenMr. Arnold Jablon
Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Section 405.6 Compliance/Determination of Spirit and Intent

Dear Mr. Jablon:

BGE has arranged to move a Compressed Natural Gas (CNG) re-fueling station from its present location at the Timonium Service Center on Grovespring Drive, to a Crown Station located at 2415 York Road. This relocation is necessary due to the sale of the Grovespring Drive property to Loyola College. To the best of our knowledge, we are in compliance with section 405.6 of the Baltimore County Zoning Regulations. In addition, Baltimore County Records indicate zoning cases 69-261-RXA, 86-69-A, and 89-240-SPHXA were granted for the Crown Station. We believe this project is within the Spirit and Intent of the referenced zoning decisions.

At the direction of Mr. John Sullivan, I contacted the Office of Planning regarding this project and spoke with Mr. Ervin McDanels who voiced no objection to it. I also spoke with Mr. Robert Bowling in the Department of Public Works who has signed off on the plan. I am currently working with Mr. Avery Hardin to finalize a landscape plan and details of a wooden sound barrier that will be constructed as a buffer.

Enclosed is a site plan, initiated by Messrs. McDanels and Bowling. Please note, the compressor related equipment will be mounted on concrete pads and will be secured with protective fencing and a cover to protect the equipment from the weather. The two dispensers will be located on the existing Crown Station gasoline islands. Once installed, the CNG station will serve the public as well as BGE, United States Post Office and Baltimore County government vehicles. As stated above, we believe we are in compliance with all applicable zoning requirements, including section 405.6 and are asking by way of this letter for confirmation of this and Spirit and Intent.

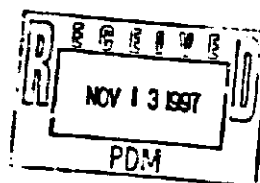
Please call me at (410)787-5130 if you have any questions on the above.

Sincerely,

J.F. Burkman

CC: W. T. Mock, P.E.
T. G. RieggerSpeed
Letter

In the interest of speed and economy, we are replying to your letter with marginal notes. If you need more information, do not hesitate to call or write. Thank you for your interest.



November 19, 1997

8th Election District

Dear Mr. Burkman:

Staff approves your more in keeping plan per Section 405.6 of the Baltimore County Zoning Regulations subject to your final landscape plan approval and the documenting of this response on all future plans.

Sincerely,

John L. Lewis

Planner II
Zoning Review

JLL:rye

c: zoning case 89-240-SPHXA